

REDACTED

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8 BEFORE THE BOARD OF MEDICAL EXAMINERS
9 DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation)
12 against)
13 ROBERT H. NOCE, M.D.)
14 Certificate No. C-1136)
15 Respondent.)

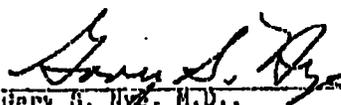
16 DECISION

17 The attached stipulation is hereby adopted by the
18 Board of Medical Examiners as its decision in the above-entitled
19 matter.

20 This decision shall become effective on the 15th day of
21 May 1974.

22 IT IS SO ORDERED this 15th day of May, 1974.

23
24 BOARD OF MEDICAL EXAMINERS
25 OF THE STATE OF CALIFORNIA

26
27 By 
28 Gary S. Nye, M.D.,
29 Secretary-Treasurer

1 EVELLE J. YOUNGER, Attorney General
of the State of California
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4 Telephone: (415) 557-1139
5 Attorneys for Complainant

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8 BEFORE THE BOARD OF MEDICAL EXAMINERS
9 STATE OF CALIFORNIA

10
11 In the Matter of the Accusation)
12 against)
13 ROBERT H. NOCE, M.D.)
Certificate No. C-1136)
14 Respondent.)
15

No. D-1461

STIPULATION

16 IT IS HEREBY STIPULATED by and between the parties to
17 the above entitled matter that the following allegations are true:

18 1. An Accusation is presently pending against Robert H.
19 Noce, M.D., in the above entitled matter.

20 2. Respondent is fully aware of his right to a hearing
21 on the allegations contained in the aforesaid Accusation, his
22 right to reconsideration, appeal, and any and all other rights
23 accorded him pursuant to the California Administrative Procedure
24 Act, and does hereby waive his right to a hearing, reconsideration,
25 appeal, and any and all other rights accorded him pursuant to the
26 aforesaid Act in the subject matter No. D-1461.

27 3. On June 3, 1948, respondent was duly issued certifi-
28 cate number C-11136 by the Board of Medical Examiners authorizing
29 respondent to practice medicine in the State of California.
30 There have been no previous disciplinary actions taken against
31 respondents license.

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1 4. The Accusation herein was brought by Raymond Reid,
2 Executive Secretary of the Board of Medical Examiners in his
3 official capacity.

4 5. (a) On or about April 3, 1973, respondent did pre-
5 scribe the dangerous drug Seconal 100 mg in the quantity of 30
6 capsules for one Joni Canoose, known to respondent as Jonanne
7 C [REDACTED] without a prior examination or medical indication for
8 such drug.

9 (b) On or about April 19, 1973, respondent did pre-
10 scribe the dangerous drug Seconal 100 mg in the quantity of 30
11 tablets and the dangerous drug Quaalude 300 mg in the quantity of
12 30 tablets for said Joni Canoose without either a prior examina-
13 tion or medical indication for such drugs.

14 (c) On or about May 2, 1973, respondent did pre-
15 scribe the dangerous drug Seconal 100 mg in the quantity of 30
16 capsules and the dangerous drug Demoxyn 15 mg in the quantity of
17 30 tablets for said Joni Canoose without either a prior examina-
18 tion or medical indication for such drugs.

19 (d) On or about May 2, 1973, respondent did pre-
20 scribe the dangerous drug Seconal 100 mg in the quantity of 30
21 capsules and the dangerous drug Demoxyn 15 mg in the quantity of
22 30 tablets for one Diane Richards, known to respondent as Susan
23 S [REDACTED], without either a prior examination or medical indication
24 for such drugs.

25 6. Respondent is subject to discipline pursuant to
26 Business and Professions Code, hereinafter called the Code, sec-
27 tion 2361 in that he has violated Code section 2399.5 by reason
28 of and in the manner heretofore set forth and stipulated to in
29 paragraphs 5(a), 5(b), 5(c) and 5(d).

30 7. Respondent is subject to discipline pursuant to Code
31 section 2361 in that he has violated Code section 2361.5 by

1 reason of and in the manner heretofore set forth and stipulated
2 to in paragraphs 5(a), 5(b), 5(c) and 5(d).

3 8. Respondent has not issued a prescription for a
4 dangerous drug since July, 1973.

5 Moreover, Respondent voluntarily closed his office in
6 Salinas in July, 1973, and since then has limited his practice in
7 Aptos to occasional consultations through the State Board of
8 Rehabilitation.

9 9. Commencing in July, 1973, and continuing to the date
10 hereof, respondent has sought psychiatric treatment from Joseph
11 Satten, M.D. for a massive psychological reaction of depression
12 and anxiety. The prognosis for this treatment is fair to good
13 for continued improvement with a minimum of six months continued
14 treatment necessary in order to evaluate the degree of recovery.

15 10. It is recommended the Board of Medical Examiners
16 adopt the following order:

17 Certificate number C-1136 issued to Robert B. Nace, M.D.
18 is hereby revoked. Said revocation is stayed and respondent
19 shall be placed on probation for a period of five years subject
20 to the following terms and conditions:

21 1. Respondent shall not engage in the practice of Medi-
22 cine for a period of six months from the effective date of this
23 decision.

24 2. During this six months, respondent shall continue the
25 psychiatric treatment already commenced and shall continue thereon
26 until discharged by the treating physician.

27 3. Respondent shall surrender all narcotic and dangerous
28 drug privileges.

29 4. At the conclusion of the aforesaid six months, re-
30 spondent shall submit to an oral examination in clinical sub-
31 jects to be given by the Board and upon successful completion
32 thereof shall commence his probationary period of five years.

1 5. During the probationary period, respondent shall
2 practice only in a structured environment specifically approved
3 by the Board of Medical Examiners.

4 6. During the probationary period, respondent shall not
5 renew or attempt to obtain or obtain any narcotic or drug privi-
6 leges without prior permission of the Board of Medical Examiners.

7 7. During the probationary period, respondent shall not
8 treat any female patients under the age of 18 years and who suffer
9 from drug addiction or a drug addiction related problem.

10 8. After not less than one year has elapsed from the
11 commencement date of the probationary period herein, respondent
12 may petition the Board of Medical Examiners for restoration of
13 his narcotic privileges and/or modification of any of the terms
14 of this probation.

15 9. Respondent shall, from the effective date hereof,
16 submit to the Board of Medical Examiners quarterly reports set-
17 ting forth his compliance with this order.

18 10. Respondent shall obey all laws of the United States
19 and the State of California and the Rules and Regulations of the
20 Board of Medical Examiners.

21 11. Violation of any of the terms and conditions herein
22 set forth shall constitute cause for the Board of Medical
23 Examiners, after hearing, to terminate said probation and impose
24 the aforesaid revocation and/or make such other order deemed meet
25 in the premises.

26 DATED: March 14, 1974

27 EVELLE J. YOUNGER
28 Attorney General

29 *Ralph M. Johnson*
30 RALPH M. JOHNSON
31 Deputy Attorney General

 Attorneys for Complainant

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DATED: 3-25-74

Robert M. Noce, M.D.
ROBERT M. NOCE, M.D.

DATED: 3/25/74

Eugene A. Steiner, Esq.
EUGENE A. STEINER, Esq.
Attorney for Respondent

REDACTED

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of the State of California
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4 Telephone: (415) 557-1139

Attorneys for Board of Medical Examiners

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8 BEFORE THE BOARD OF MEDICAL EXAMINERS
9 STATE OF CALIFORNIA

10 In the Matter of the Accusation

11 against

12 ROBERT H. NOCE, M.D.
13 Certificate No. C-11136

14 Respondent.

No. *D-1461*

ACCUSATION

15
16 Comes now RAYMOND REID, complainant, and for cause
17 of action alleges:

18 1. That complainant is the executive secretary of
19 the Board of Medical Examiners and brings this accusation in
20 his official capacity.

21 2. Respondent was duly issued certificate number
22 C-11136 on or about June 3, 1948 by the Board of Medical Ex-
23 aminers, hereinafter called the Board, authorizing respondent
24 to practice medicine in the State of California. Said cer-
25 tificate was and is in full force and effect at all times
26 mentioned herein.

27 3. (a) Pursuant to Business and Professions
28 Code, hereinafter called the Code, section 2361, the Board
29 shall take disciplinary action against any holder of a cer-
30 tificate who is guilty of unprofessional conduct.

31 (b) Pursuant to Code section 2399.5, prescrib-

1 ing dangerous drugs as defined in Code section 4211, without
2 either a prior examination or medical indication therefore
3 constitutes unprofessional conduct.

4 (c) Pursuant to Code section 2361.5, clearly
5 excessive prescribing of drugs, inter alia, which are detri-
6 mental to the patient as determined by the customary practice
7 and standards of the local community of licensure is unpro-
8 fessional conduct.

9 4. Respondent is subject to discipline pursuant
10 to Code section 2361 in that he has violated Code section
11 2399.5 in that:

12 (a) On or about April 3, 1973, respondent did
13 prescribe the dangerous drug Seconal 100 mg in the quantity
14 of 30 capsules for one Joni Canoose, known to respondent as
15 Jonanne C [REDACTED], without a prior examination or medical
16 indication for such drug.

17 5. Respondent is subject to discipline pursuant
18 to Code section 2361 in that he has violated Code section
19 2399.5 in that:

20 (a) On or about April 19, 1973, respondent
21 did prescribe the dangerous drug Seconal 100 mg in the quan-
22 tity of 30 tablets and the dangerous drug Qualude 300 mg in
23 the quantity of 30 tablets for said Joni Canoose without
24 either a prior examination or medical indication for such
25 drugs.

26 6. Respondent is subject to discipline pursuant to
27 Code section 2361 in that he has violated Code section 2399.5
28 in that:

29 (a) On or about May 2, 1973, respondent did
30 prescribe the dangerous drug Seconal 100 mg in the quantity
31 of 30 capsules and the dangerous drug Demoxyn 15 mg in the

1 quantity of 30 tablets for said Joni Cannon without either
2 a prior examination or medical indication for such drugs.

3 7. Respondent is subject to discipline pursuant
4 to Code section 2361 in that he has violated Code section
5 2399.5 in that:

6 (a) On or about May 2, 1973, respondent did
7 prescribe the dangerous drug Seconal 100 mg in the quantity
8 of 30 capsules and the dangerous drug Demoxyn 15 mg in the
9 quantity of 30 tablets for one Diane Richards, known to res-
10 pondent as Susan S [REDACTED], without either a prior examination
11 or medical indication for such drugs.

12 8. Respondent is subject to discipline pursuant
13 to Code section 2361 in that he has violated Code section
14 2361.5 in that:

15 By reason of the allegations set forth in para-
16 graph 4(a) and incorporated here.

17 9. Respondent is subject to discipline pursuant
18 to Code section 2361 in that he has violated Code section
19 2361.5 in that:

20 By reason of the allegations set forth in para-
21 graph 5(a) and incorporated here.

22 10. Respondent is subject to discipline pursuant
23 to Code section 2361 in that he has violated Code section
24 2361.5 in that:

25 By reason of the allegations set forth in para-
26 graph 6(a) and incorporated here.

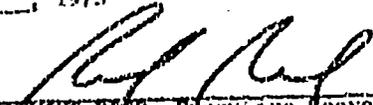
27 11. Respondent is subject to discipline pursuant
28 to Code section 2361 in that he has violated Code section
29 2361.5 in that:

30 By reason of the allegations set forth in para-
31 graph 7(a) and incorporated here.

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WHEREFORE, complainant prays that a hearing be held
and thereafter the Board issue its order revoking respondent's
certificate or making such other order as the Board deems
meet in the premises.

DATED: 10/31, 1973


RAYMOND REID, Executive Secretary
Board of Medical Examiners

RML:sm
10-24-73 31